

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

STEPHEN P. SCHOEMEHL, et al.,)
)
)
Plaintiff,)
)
)
v.) No. 4:06-CV-1556 CAS
)
)
ALL-TECH SECURITY, INC.,)
)
)
Defendant.)

ORDER

On May 17, 2007, the Court granted defense counsel's motion for the imposition of a withdrawal period and ordered defendant All-Tech Security, Inc. ("All-Tech") to obtain substitute counsel no later than June 18, 2007. [Doc. 19] Within this order, the Court also stated defense counsel, Charles H. Morgan and the Lowenbaum Partnership, L.L.C., would be allowed to withdraw as counsel for All-Tech on June 18, 2007, or upon the entry of substitute counsel. As substitute counsel has not entered an appearance on behalf of All-Tech, and there is no indication All-Tech has complied with the Court's Order and retained substitute counsel, the Court will grant defense counsel's request to withdraw from representation of the defendant in this matter.

A corporation is an artificial entity that can only act through agents, cannot appear pro se, and must be represented by counsel. Rowland v. California Men's Colony, 506 U.S. 194, 201-02 (1993); Woods v. K.C. Masterpiece, 2006 WL 1875524, at *1 (E.D. Mo. June 30, 2006). "Entry of a default judgment is appropriate where a defendant corporation fails to comply with a court order to obtain counsel." R. Maganal & Co. v. M.G. Chem. Co., Inc., No. 88 CIV. 4896 MJL THK, 1996 WL 715526 at *2 (S.D.N.Y. Dec. 12, 1996); see Top Sales, Inc. v. Designer Vans, Inc., No. CIV.A. 3:96-CV-0721, 1997 WL 786254 at *2 (N.D. Tex. Dec. 11, 1997) (court grants counsel's motion

to withdraw and orders defendant corporation to retain substitute counsel or risk having its pleadings stricken and default judgment entered against it).

In its May 17, 2007 order, the Court also informed defendant that default judgment may be entered if defendant failed to obtain substitute counsel. Therefore, the Court will order plaintiff to file, within thirty days of the date of this order, motions to strike defendant's pleadings, for clerk's entry of default, and default judgment.

Accordingly,

IT IS HEREBY ORDERED that defense counsel Charles H. Morgan and the law firm of Lowenbaum Partnership, L.L.C. request to withdraw from their representation of defendant in this matter is granted.

IT IS FURTHER ORDERED that within thirty (30) days of this order, plaintiff shall file motions to strike defendant's pleadings, for clerk's entry of default, and default judgment.

IT IS FURTHER ORDERED that the trial date of February 11, 2008, is **VACATED**.



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 25th day of June, 2007.